

RECEIVED
CENTRAL FAX CENTER
OCT 25 2006



Fort Lauderdale
Jacksonville
Miami
New York
Orlando
Tallahassee
Tampa
Washington, DC
West Palm Beach

Esperanto Building
222 Lakeview Avenue, Suite 400
West Palm Beach, Florida 33401-6183
Post Office Box 3188 mail
West Palm Beach, Florida 33402-3188
www.akerman.com
561 653 5000 tel 561 659 6313 fax

FAX COVER SHEET

From: Mark A. Buese/am

Date: October 25, 2006

PLEASE DELIVER 18 PAGE(S) (including cover sheet) TO:

Name:
Company: U.S.P.T.O.
Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax Number: 571.273.8300
Phone Number:

Please call 561.653.5000, Ext. 33642 if you do not receive all the pages.

Comments/Special Instructions

Re: Response to Final Office Action
U.S. Patent Application No. 10/637,205
METHOD FOR INCREASING TISSUE OXYGENATION
Art Unit: 1618
Examiner: EBRAHIM, NABILA G.
Our Docket No.: 6619-85-2

Enclosures:

- * Reply to Office Action (16 page)
- * Transmittal Form (1 page)
- * This Fax Cover Sheet (1 page)

The information contained in this transmission may be a confidential attorney-client communication or may otherwise be privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this transmittal is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original transmittal to us by mail. Thank you.

Client/Matter No: 24435/124338

Equitrac ID: 7096


{WP344841.1}


PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/837,205	RECEIVED CENTRAL FAX CENTER OCT 25 2006
	Filing Date	August 8, 2003	
	First Named Inventor	McGrath et al	
	Art Unit	1618	
	Examiner Name	EBRAHIM, NABILA G	
Total Number of Pages in This Submission	18	Attorney Docket Number	6619-85-1CON

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below). Terminal Disclaimer
Remarks Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-0951.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Mark A. Buese, Registration No. 52,689 Akerman Senterfitt	
Signature		
Date	OCTOBER 25, 2006	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Mark A. Buese, Registration No. 52,689		
Signature		Date	OCTOBER 25, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

OCT 25 2006

In re: Application of MCGRATH et al.

Application No. 10/637,205

Art Unit: 1618

Date Filed: August 8, 2003

Examiner: Ebrahim, Nabila G.

For: METHOD FOR INCREASING TISSUE OXYGENATION

Certificate of Transmission/Mailing

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited as first class mail with the U.S. Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 25, 2006.


Mark A. Buese, Registration No. 52,669

REPLY TO OFFICE ACTION

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply is submitted in response to the Office Action mailed July 26, 2006 ("Office Action"). A phone interview was conducted on October 18, 2006 between the Examiner and the undersigned registered agent for the Applicant.

A complete claim listing showing claim amendments begins on page 2.

Remarks begin on page 5.